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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 12 February 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

As conditions continue to dangerously deteriorate, I am compelled to draw your attention to the critical situation in the Occupied State of Palestine, including East Jerusalem. The illegal and destructive policies and practices by Israel, the occupying Power, continue to cause immense suffering among the Palestinian civilian population and to obstruct any potential for the peaceful resolution of this grave injustice.

Unprotected, despite the very clear provisions of international law according protection to civilians under foreign occupation, the Palestinian people continue to endure countless human rights violations and war crimes at the hands of the Israeli occupying forces and its illegal settlers. The international community, in particular the Security Council, must confront this unlawful situation and cannot continue to turn a blind eye as the rights of an entire people and the most fundamental pillars of international law are being so egregiously breached. Action must be taken to finally uphold international law and to bring an end to 50 years of Israeli occupation, along with all of Israel's violations against the Palestinian people and their land.

The incidents mentioned below reflect only a few of the countless violations and crimes being perpetrated by Israel, the occupying Power, against the Palestinian people. Israel's belligerent military occupation is driven and sustained only by such illegal policies and practices, which affect every single Palestinian child, woman and man living under occupation, whether it be in the Occupied West Bank, including East Jerusalem, or in the Gaza Strip, where nearly 2 million Palestinians continue to live in the world's largest prison, suffering massive collective punishment tantamount to a war crime.

Palestinian casualties

Lethal and indiscriminate force continues to be routinely unleashed by the Israeli occupying forces against the Palestinian civilian population, causing wilful and wanton death and injury in grave violation of international humanitarian law.

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On 7 February 2018, a young Palestinian man, Khaled Walid Tayeh (aged 22), died after succumbing to wounds he sustained earlier that day during a military raid by Israeli occupying forces in the Al-Jabal al-Shamali area of Nablus in the West Bank. The Palestine Red Crescent Society reported that an additional 110 Palestinian civilians had also been injured during that same raid, in which 32 injuries resulted from the use of live bullets, 26 from rubber-coated steel bullets and 51 from severe tear gas inhalation. In addition, one child was seriously injured after being intentionally run over by an Israeli military jeep.

On 30 January 2018, Israeli occupying forces killed Laith Abu Naim, aged 16, from the West Bank village of Al-Mughayyir. Laith was running for his life as two Israeli armoured vehicles pursued him. An Israeli soldier shot Laith in the forehead from a range of 20 metres, killing him instantly. Laith was the fourth Palestinian child killed in January by Israeli occupying forces. Sadly, he will not be the last Palestinian child to lose his or her life as a result of Israel's shoot-to-kill policy, which has been widely reported and documented by Human Rights Watch. "The soldiers killed him from a short range. They could have arrested him; they could have injured him; they could have shot his leg", Laith's uncle, Marzouq Abu Naim, told Palestinian media. "But the soldier meant to kill him. The bullet went through his eye and through the back of his head." Without accountability, the occupying Power will continue to violate the Palestinian people's rights, including to life, without fear of accountability or punishment.

The killing and injury of Palestinian men, women and children under Israeli occupation, such as the tragic crimes detailed above, must be addressed. A proper independent investigation must be launched into the killing of 16-year-old Laith. We cannot accept, nor should the international community accept, that a people under occupation for more than five decades be left defenceless, denied the protections of international law, including humanitarian law and human rights law, while the occupying Power is appeased and permitted to continue with its flagrant impunity, disrespecting both the rule of law and the sanctity of human life.

Settlements

Israel, the occupying Power, also continues with its systematic policies of settler colonialism, apartheid and ethnic cleansing in the Occupied State of Palestine, including East Jerusalem. It is absolutely urgent that the international community, particularly the Security Council, act to bring Israel into compliance with international law and United Nations resolutions, including, inter alia, Security Council resolution 2334 (2016). Just today, the Israeli human rights organization, Peace Now, reported that the so-called "Israeli Settlement Subcommittee of the Higher Planning Committee of the Civil Administration" had convened to discuss a series of new plans in its illegal settlements. The organization has also reported that the occupying Power also approved 68 new settlement units in the settlement of "Elazar", the illegal construction of an Israeli hotel in the Jordan Valley with 120 rooms next to a motor park and so-called Tourist Area, and the construction of a cemetery near an industrial zone planned for construction south of Qalqiliya in the West Bank.

Moreover, it is important to note that Peace Now provided the following analysis on Israel's reckless and illegal settlement campaign, stating that: "The government is building new settlement areas under the guise of 'insignificant' plans that will not include housing units. This is an old trick used to establish new settlements without calling them that by name. All of these plans — the construction of a hotel and tourist complex in the Jordan Valley, an educational campus in an illegal outpost, and even a cemetery as the first stage in the construction of a new industrial zone — in actuality create new settlements. The Netanyahu government has lost all the brakes on the road

to de facto annexation of the West Bank, and it continues to distance Israel from the prospects for peace and the two-state solution."

Home/school demolitions

As the occupying Power builds and expands more illegal settlements in the Occupied Palestinian Territory, including East Jerusalem, which constitute not only grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) but also war crimes as defined by the Rome Statute of the International Criminal Court, it also continues with its illegal, repressive and punitive practice of home demolitions, leaving countless Palestinian families homeless and hopeless. Israeli occupying forces also continue to demolish internationally-funded schools and other humanitarian projects. The destructive impact of such Israeli violations on Palestinian communities and on the situation on the ground is immense, as reflected in deteriorating socioeconomic conditions and deepening anger and frustration among the Palestinian civilian population living under occupation.

On 8 February 2018, Israeli occupying bulldozers demolished a Palestinian home in the neighbourhood of Silwan, in Occupied East Jerusalem, under the bogus pretext that it did not possess a building licence. In addition to such home demolitions, the United Nations Office for the Coordination of Humanitarian Affairs has warned that dozens of Palestinian schools are at risk of being demolished by the occupying Power, leaving children in the Occupied State of Palestine even more vulnerable. According to the Office, at least 45 schools are now facing demolition orders.

In this regard, the acting Humanitarian Coordinator, Roberto Valent, stated that "children as young as seven would be left without schools if Israel carries out its demolition project". He further stated that he was "deeply concerned by the Israeli authorities' demolition this morning [4 February 2018] of two donor-funded classrooms — third and fourth grade — serving 26 Palestinian schoolchildren in the Bedouin and refugee community of Abu Nuwar, located in Area C on the outskirts of Jerusalem". He stated that "the demolition was carried out on grounds of lack of Israeli-issued permits, which are nearly impossible to obtain". It must be recalled, as stated by the European Union representative and the European Union Heads of Mission in Jerusalem and Ramallah, that "every child has the right to access to education and States have an obligation to protect, respect and fulfill this right, by ensuring that schools are inviolable safe spaces for children".

Arrests and detention

In addition to the killing and injury of children, the Israeli occupying forces have also carried on with other illegal practices, such as the arbitrary arrests and detentions of Palestinian children in the recent period. Many of these children have been violently seized from their homes in the dead of night, beaten, blindfolded, strip-searched, interrogated without legal counsel, held incommunicado from their parents and put in solitary confinement.

We demand that Israel, the occupying Power, immediately end all its violations and abuses against Palestinian children and comply with its obligations under international law, including, inter alia, the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict. All Palestinian prisoners and detainees, including children such as Ahed Al-Tamimi, who continues to be held in an Israeli military detention centre since Israeli forces raided her home in the West Bank village of Nabi Saleh early on the morning of 19 December 2017, must immediately be released from Israeli detention and prison facilities.

It is high time that the international community go beyond condemnation or expressing outrage about Israel's illegal practices and policies against the Palestinian people. Urgent, concrete and collective international action is required now to bring Israel into compliance with its legal obligations under international law and relevant United Nations resolutions, without exception. Israel cannot be allowed to continue acting above the law without consequences.

It is long overdue for the world to stand with principles and commitments affirmed time and time again and to demand an end to Israel's brutal military occupation of the Palestinian land and an end to its blatant disregard for the human rights of the Palestinian people. It is time for the Palestinian people to live as a free people in their own independent State of Palestine, with East Jerusalem as its capital. It is time for the Palestinian people to realize their inalienable human rights and justice.

The present letter is in follow-up to our previous 623 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 9 January 2018 (A/ES-10/766-S/2018/28), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer
of the State of Palestine to the United Nations